

# Administrative Office of the Courts

Supreme Court of New Mexico

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## **REQUEST FOR INFORMATION (RFI)**

### **ONLINE DISPUTE RESOLUTION FOR TRAFFIC CASES**

Posting Date: Tuesday, June 16, 2020

Submission Deadline Date: Monday, July 13, 2020

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# **I. INTRODUCTION**

## **A. PURPOSE OF THIS REQUEST FOR INFORMATION (RFI)**

The purpose of this Request for Information (RFI) is to gather product and cost information associated with Online Dispute Resolution (ODR) for traffic cases in order to assist the New Mexico Judiciary in the potential development of a Request for Proposals (RFP). This may result in establishing a contract through competitive bid for implementation and support of an ODR platform for resolving traffic cases filed in states courts.

The New Mexico Judiciary is interested in learning more about technology solutions to support ODR options in the following areas: Adjudication of non-incarcerable citation cases including: parking cases, traffic cases, and animal control cases. The ideal solution would be able to:

- 1) Accept citations from multiple law enforcement agencies
- 2) Process a variety of citations such as parking cases, traffic cases, city ordinance violation citations, county ordinance violation citations, cases where a warrant has been issued
- 3) Process cases with one violation or multiple violations
- 4) Offer a variety of resolution options such as imposition of a fine with set amounts based on statute and charges listed for first-time offenders (and configurable by prosecutor prior to citations being received), schools (e.g. driver improvement school, aggressive driver school, responsible pet ownership school, etc.), deferred sentences, community service,
- 5) Facilitate online plea negotiations between a prosecutor and a defendant
- 6) Allow the following roles to interact with the system: defendant and defense attorney, paralegal or legal assistant, prosecutor, court staff, and judge
- 7) Provide the parties with a printable summary of the resolution/disposition of the case
- 8) Accommodate English, Spanish and as many other languages as possible
- 9) Allow defendants to pay court fees and fines online
- 10) Interface with Tyler Technologies Odyssey case management system, the court's custom-built applications, and New Mexico Motor Vehicle Division's system
- 11) Automatic rejection back to citing agency of citations that are missing required fields for creating a case in our case management system
- 12) Allow defendants to reject ODR options and schedule a hearing online by interfacing with available sessions in the Odyssey calendar for the specific hearing type based on the charges on the citation
- 13) Send the citation, along with all documents created (such as a plea/waiver) as images into the Odyssey case management system, and attach them to the documents tab as a clearly labeled image on the case; allowing paper on demand for the results from ODR without needing a physical file
- 14) Make ADA accommodations as accessible as possible, such as built-in text-to-speech and additional instructions

## B. RFI MANAGER

1. The Office of General Counsel of the New Mexico Administrative Office of the Courts has assigned an RFI Manager who is responsible for the conduct of this RFI whose name, address, telephone number and e-mail address are listed below:

Name: Mateo S. Page, RFI Manager  
Address: Administrative Office of the Courts  
237 Don Gaspar Ave, Room 25  
Santa Fe, NM 87501  
Telephone: (505) 827-4960  
Email: aocmsp@nmcourts.gov

2. All deliveries of responses must be addressed to the RFI Manager listed above.

**Any inquiries or requests** regarding this RFI should be submitted to the RFI Manager. Respondents may contact **ONLY** the RFI Manager regarding this RFI. Other state employees or Evaluation Committee members do not have the authority to respond on behalf of the RFI Manager.

## II. CONDITIONS GOVERNING THE RFI

### A. SEQUENCE OF EVENTS

The RFI Manager will make every effort to adhere to the following schedule; however dates are subject to change.

| Action                                      | Responsible Party         | Due Dates               |
|---|---------------------------|-------------------------|
| 1. Issue RFI                                | AOC                       | 6/16/2020               |
| 2. Deadline for Questions                   | Respondents               | 7/6/2020                |
| <b><i>3. Submission of RFI Response</i></b> | <b><i>Respondents</i></b> | <b><i>7/13/2020</i></b> |
| 4. Evaluation of RFI Responses              | AOC                       | 7/20/2020               |

### B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events.

#### 1. Issuance of RFI

This RFI is being issued on behalf of the New Mexico Judiciary and AOC on the date indicated in the Sequence of Events. The RFI will be posted to:

<https://www.nmcourts.gov/request-for-proposals.aspx>

#### 2. Submission of RFI Response

**All responses must be received for review and evaluation by the RFI manager or designee no later than 3:00 pm mountain time on Monday, July 13, 2020.** Responses

received after this deadline will not be accepted. The date and time of receipt will be recorded on each response.

Responses must be delivered to the RFI Manager at the email address listed in Section I, Paragraph B1 with the subject line: ***Online Dispute Resolution for Traffic Cases***. Mailed responses must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the ***Online Dispute Resolution for Traffic Cases***. Mailed responses must be addressed and delivered to the RFI Manager at the mailing address listed in **Section I, Paragraph B1**. Responses submitted by facsimile will not be accepted.

### **3. Evaluation of RFI**

AOC retains the sole discretion to move forward with, or decline to move forward with, the procurement process, including but not limited to the release of an RFP for Online Dispute Resolution for Traffic Cases.

#### **a. Questions**

Questions regarding the RFI must be submitted in writing, by e-mail, to the RFI Manager and must be received by 5:00pm Mountain Time by July 6, 2020. Contact information must be provided in the response in order to reply to any clarifying questions from the RFI Manager. The RFI Manager will respond to questions with two business days of receipt of the questions.

## **C. GENERAL REQUIREMENTS**

1. This RFI in no manner obligates the New Mexico Judiciary or AOC to the issuance of an RFP or the eventual retention of professional services and, if applicable, the rental, lease or purchase of any real and/or personal property that may be implied or proposed.
2. Any cost incurred by the potential Respondent in preparation, transmittal, and/or presentation of any response or material submitted in response to this RFI shall be borne solely by the Respondent.
3. The AOC is requesting that information provided by respondents be non-proprietary.
4. Any cost estimates requested are for budgeting purposes only. Respondents will not be held to price estimates provided as part of the RFI should the AOC decide to issue a competitive solicitation.
5. At this time the AOC is currently early in the exploration of options; if the AOC decided to test ODR, deployment, would likely be through a pilot phase in a few jurisdictions upon completion of a successful, competitive RFP solicitation.

### **III. SPECIFICATIONS**

#### **A. Information Requesting/Statement of Need**

**IN YOUR RESPONSE, PLEASE ADDRESS THE FOLLOWING:**

##### **Software Capability**

Please confirm that your solution will address the areas identified in **Section I.A.** or which areas it can address.

##### **Software Demonstration**

Would your organization be available to provide a software demo session, upon request, for informational purposes only?

##### **Sample Goals**

The following are a sample of goals we would like to realize from the use of a technology solution:

- Resolving disputes to the mutual satisfaction of the parties
- Reducing case disposition time
- Reducing costs to the court
- Reducing costs to the parties
- Elimination of the requirement that a person appear in person to resolve cases
- Increasing access to justice
- Increasing user satisfaction rates
- Increasing convenience to the parties
- Increasing court staff job satisfaction
- Decreasing risk to the public regarding transmission of communicable diseases such as Covid19

How can a technology solution address these goals?

##### **Public User Experience**

1. What is the best way for users to access the technology solution addressing the needs identified in this FRI?

2. Do effective systems require users to have or use an email account? If an email account is not required, what other means of authentication could be used (such as a mobile number or web log in)?

3. What information does a court need to provide users so that they may access an effective system?
4. What services should an effective system support (e.g. text negotiation for parties, text negotiation with mediator, video mediation, other)?
5. How would an effective system screen cases?
  - i. What role should automation and court staff play in screening cases?
  - ii. Could court staff configure a system to meet the court's specific needs?
6. How would a system educate users on their legal options (e.g. asks them questions and provides relevant state law and information or other legal resources)?
7. How would an effective system track progress of parties?
8. How would an effective system send reminders to parties?
9. How would an effective system allow parties to: upload documents, sign documents, and submit documents and/or an agreement to the court?
10. How would an effective system support payment or allow third party add on payment systems?
11. How would an effective system guide the public in learning and using the system?
12. What is the typical availability for an effective system, and how often would one expect service unavailability due to a planned outage?
13. How would an effective system facilitate communication and negotiations (chat, video, synchronous, asynchronous, private chat, AI, etc.)?
14. How would an effective system detect and flag inflammatory language for the parties?
15. Should data be accessed by parties after their case is closed? If so, for how long?
16. How would an effective system allow interpreters/language access professionals to participate? What other ways can an effective system be accessible to non-English speaking parties?
17. What browsers and mobile devices should an effective system be optimized for?
18. How would an effective system provide reminders to courts, parties, and mediators? (examples: e-mail, text, calendar alerts)

19. What evaluation tools would an effective system have in place for users to give feedback to the court?

20. What ADA accommodations would an effective system make available to the public?

### **Privacy**

1. Please describe a typical policy on “data ownership and use” and what controls should be in place to ensure the policy is enforced? How long should data retained, by whom, and where?

2. Please describe a typical policy on “data destruction” and what controls should be in place to ensure the policy is enforced?

3. Please describe a typical policy on “security incidents” and what controls should be in place to ensure the policy is enforced? How should customers informed and by whom?

4. How should an effective system be encrypted and if so, what level of encryption and what specific data should be encrypted?

### **Court Users**

1. What guides and videos for court staff who manage the system should be available?

2. What data is stored locally and what reporting options for court administration are available to be drawn from the usage of this system?

### **Transparency**

1. Identify what system processes and algorithms that affect decision-making within the solution could be used.

### **Integration and Pricing**

1. New Mexico Courts utilize Tyler Technologies Odyssey case management system. If you developed a system, is it capable of integrating with the case management system or must it operate separately?

i. If your system can integrate with our case management system, what confidentiality protections exist in the system to maintain a wall between private party conversations/data and court records?

2. Please provide a high-level description of the pricing model – per case, per user, setup fees, other costs? Please provide pricing for both stand alone and integrated systems if both are an option.



3. Respondents are asked to provide estimated costs to help the AOC understand acquisition and on-going costs.

### **Qualifications**

1. What other court organizations are actively using your services?
2. Length of time services have been actively used.
3. Case load for each service.
4. Number of cases resolved.
5. Number of cases that used service and proceeded to trial